



Environment Committee
Public Hearing of January 30, 2023

Senate Bill No. 896 (Raised) - AN ACT CONCERNING TREE REMOVAL ON PROPERTIES UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

Thank you for the opportunity to submit testimony on behalf of the **National Audubon Society** through its affiliate state office, Audubon Connecticut. My name is Robert LaFrance and I am Audubon Connecticut's Director of Policy.

Audubon Connecticut protects birds and the places they need, today and tomorrow, using science, bipartisan issue advocacy, education, and on-the-ground conservation. Our conservation network extends statewide and includes nearly 32,000 members, five Connecticut chapters, and many partners along the Atlantic Flyway. Audubon's policy work is grounded in—and informed by—science. At Audubon, our core values demand that our work advance justice, equity, diversity, and inclusion.

Senate Bill No. 896 (Raised) - AN ACT CONCERNING TREE REMOVAL ON PROPERTIES UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

Last year, the Environment Committee raised [Senate Bill No. 117 \(Raised\)](#) - AN ACT CONCERNING TREE REMOVAL ON PROPERTIES UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION in response to tree removal actions by the Department of Energy and Environmental Protection (DEEP) at Housatonic Meadows State Park. Ultimately, the General Assembly did NOT take final action on Senate Bill No. 117, but added section 17 to [Senate Bill No. 238 \(Raised\)](#) - AN ACT CONCERNING REVISIONS TO CERTAIN ENVIRONMENT RELATED STATUTES. Senate Bill No. 238 was signed into law by Governor Lamont as Public Act 22-143.

Section 17 provides:

Sec. 17. (NEW) (Effective from passage) (a) Not later than August 1, 2022, the Commissioner of Energy and Environmental Protection shall develop, finalize and publish on the Department of Energy and Environmental Protection's Internet web site a hazardous tree mitigation policy that shall apply to the designation, removal and mitigation of trees located in state parks and campgrounds that are determined to be hazardous by the Department of Energy and Environmental Protection. Such policy shall include criteria for the designation of a tree as

hazardous by the department and the scope of applicability for procedures for such designation, removal and mitigation, including, but not limited to, (1) department consultation of a licensed arborist prior to the designation and removal or mitigation of any such hazardous tree; (2) advance notification to the public of the department's hazardous tree removal activities, including, but not limited to, signage and publication of information on the Department of Energy and Environmental Protection's Internet web site; and (3) consideration of replanting and other relevant improvements to offset the aesthetic or ecological value provided by any hazardous tree that is removed. Such policy shall also include provisions for: (A) The maintenance of public safety, (B) ecological and natural resource protection, (C) practices for transparency and public engagement in the process of such designation, removal and mitigation, (D) effective stewardship of department resources, (E) public access to outdoor recreation, (F) fire suppression or protection efforts, (G) state park maintenance and repairs, (H) decorative pruning, (I) trail maintenance, (J) post-storm impact mitigation or clean-up, and (K) removal of invasive species. For the purposes of this section, "arborist" has the same meaning as provided in section 23-61a of the general statutes.

(b) The Department of Energy and Environmental Protection shall implement a tree replanting demonstration project at Housatonic Meadows State Park, in consultation with state park or forest advocacy groups or organizations.

(c) Not later than December 1, 2022, the Commissioner of Energy and Environmental Protection shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment on state park and campground tree replanting strategies for removed hazardous trees and any associated funding needs.

As we stated in our [testimony in 2022](#) on Senate Bill No. 117, we believe that DEEP's current staffing levels are woefully inadequate across all bureaus, but this is especially true for the Branch of Environment Conservation (EC) which includes the bureaus of Outdoor Recreation and Natural Resources. DEEP's EC Branch's reduction in staff is due to many 2022 retirements and as a result of an increase in "on the ground" responsibilities due to a change in the park admission pricing model through the Passport to Parks Program. Also, more visitors are going to all outdoor spaces as a result of the COVID 19 Pandemic. (See CT DEEP 2022 STAFFING REPORT Required by Special Act 21-23 dated FEBRUARY 9th, 2022.)

At Audubon, we have had a successful partnership with the Division of Forestry for many years. Forest management plans include a public outreach and access to state forestry officials. And, we have worked with the Division of Forestry on the [Forests for Birds](#) program. We believe the focus of the 2022 Senate Bill No. 117 on appointing "an arborist for each state park and campground under the Department of Energy and Environmental Protection's custody and control" remains the correct priority. Yet, in order for this necessary level of management and improved transparency to take place additional human resources must be provided.

DEEP produced [the hazardous tree mitigation policy](#) required by Public Act 22-143, and Audubon provided written comment on the proposed policy. DEEP also provided the Environment Committee with the report on “state park and campground tree replanting strategies for removed hazardous trees and any associated funding needs” as required by section 17(c) of Public Act 22-143 (that report is provided as Attachment 1).

Proper hazardous tree removal with improved transparency for visitors to Connecticut’s state parks and campgrounds can be accomplished through improvements to the hazardous tree removal process. DEEP currently utilizes outside contractors to remove hazardous trees. DEEP could include in the bid process for new hazard tree removal projects additional funds in each contract for public outreach and professional review by licensed arborists.

Improving utilization of licensed arborists to help with proper tree removal and providing adequate public notice PRIOR to such hazardous tree removal will require diligence on the part of DEEP, but without adequate financial resources for DEEP’s Branch of Environmental Conservation that vision will not become a reality.

In closing, the National Audubon Society relies upon the enormous generosity of our members and donors to keep our mission going. As a 501(c) not for profit entity the National Audubon Society manages many properties in Connecticut. We make these properties available to the public so that both residents and visitors alike can enjoy birds and an open space experience. These are Connecticut eco-tourism experiences where we provide natural resource and conservation education. The link below provides additional information about our centers, sanctuaries, properties and programs. <http://ct.audubon.org/about-us/centers-sancturies-and-chapters>

Thank you for the opportunity to present testimony on this proposal. Should you have any questions, please contact Robert LaFrance, Director of Policy, Audubon Connecticut, National Audubon Society, at Robert.LaFrance@Audubon.org (Cell 203.668.6685)